

SPECIAL COUNCIL MEETING NOTICE and AGENDA
WEDNESDAY, OCTOBER 3, 2012
9:00 A.M. OR SOON THEREAFTER

COUNCIL CHAMBERS
Historic County Building
4396 Rice Street, Suite 201
Līhu'e, Kaua'i, Hawai'i 96766

A. MEETING CALLED TO ORDER.

B. ROLL CALL.

C. APPROVAL OF AGENDA.

D. COMMUNICATIONS:

1. C 2012-336 Communication (07/20/2012) from the Prosecuting Attorney, requesting Council approval to apply, receive and expend State of Hawai'i, Office of Youth Services funds for the Keiki P.O.H.A.K.U. Diversion Program in the amount of \$35,000.00, and approval to indemnify the State of Hawai'i, Office of Youth Services for the term commencing August 15, 2012.
(Deferred 9/26/2012 to 10/3/2012 Special Council Meeting)
2. C 2012-389 Request (09/26/2012) from the Office of the County Attorney for authorization to expend funds up to \$75,000.00 (\$25,000.00 each) to retain special counsel(s) to represent the County of Kaua'i, Sheila Miyake and Shaylene Iseri-Carvalho in Tim Bynum vs. County of Kaua'i, et al., Civil No. CV12-00523 RLP (U.S. District Court), and related matters.
3. C 2012-390 Request (9/26/2012) from the Office of the County Attorney for authorization to expend funds up to \$50,000.00 (\$25,000.00 each) to retain special counsel(s) to represent the County of Kaua'i, Office of the Prosecuting Attorney and Shaylene Iseri-Carvalho in Rebecca Vogt vs. County of Kaua'i, Office of the Prosecuting Attorney, et al., Civil No. 12-1-0273 JRV (Fifth Circuit Court), and related matters.

E. EXECUTIVE SESSION: *Pursuant to Haw. Rev. Stat. ("H.R.S.") §92-7(a), the Council may, when deemed necessary, hold an executive session on any agenda item without written public notice if the executive session was not anticipated in advance. Any such executive session shall be held pursuant to H.R.S. §92-4 and shall be limited to those items described in H.R.S. §92-5(a). (Confidential reports on file in the County Attorney's Office and/or the County Clerk's Office. Discussions held in Executive Session are closed to the public.)*

1. ES-572 Pursuant to HRS sections 92-4, 92-5(a)(4), and Kaua'i County Charter section 3.07(e), the Office of the County Attorney, on behalf of the Council, requests an executive session with the Council, to allow Council to consult with the County Attorney regarding the claim against the County by Keith K. H. Young and Sylvia J. Luke, of the law firm of Cronin, Fried, Sekiya, Kekina & Fairbanks, on behalf of Jeffery Sampoang, filed on July 31, 2012, and previously on the Council's Agenda as C 2012-351, and related matters. The briefing and consultation involves consideration of the powers, duties, privileges, immunities, and/or liabilities of the Council and the County as they relate to this agenda item.
(Deferred 9/26/2012 to 10/3/2012 Special Council Meeting)
2. ES-573 Pursuant to HRS sections 92-4, 92-5(a)(4), and Kaua'i County Charter section 3.07(e), the Office of the County Attorney, on behalf of the Council, requests an executive session with the Council, to allow Council to consult with the County Attorney regarding the claim against the County by Verna Rita, filed on July 10, 2012, and previously on the Council's Agenda as C 2012-353, and related matters. The briefing and consultation involves consideration of the powers, duties, privileges, immunities, and/or liabilities of the Council and the County as they relate to this agenda item.
(Deferred 9/26/2012 to 10/3/2012 Special Council Meeting)
3. ES-576 Pursuant to HRS sections 92-4, 92-5(a)(4), and section 3.07(e) of the Kaua'i County Charter, the Office of the County Attorney requests an executive session with the Council to provide the Council with a briefing on the retention of special counsel(s) to represent the County of Kaua'i, Sheila Miyake and Shaylene Iseri-Carvalho in Tim Bynum vs. County of Kaua'i, et al., Civil No. CV12-00523 RLP (U.S. District Court), and related matters. The briefing and consultation involves consideration of the powers, duties, privileges, immunities, and/or liabilities of the Council and the County as they relate to this agenda item.

4. ES-577 Pursuant to HRS sections 92-4, 92-5(a)(4), and section 3.07(e) of the Kaua'i County Charter, the Office of the County Attorney requests an executive session with the Council to provide the Council with a briefing on the retention of special counsel(s) to represent the County of Kaua'i, Office of the Prosecuting Attorney and Shaylene Iseri-Carvalho in Rebecca Vogt vs. County of Kaua'i, Office of the Prosecuting Attorney, et al., Civil No. 12-1-0273 JRV (Fifth Circuit Court), and related matters. The briefing and consultation involves consideration of the powers, duties, privileges, immunities, and/or liabilities of the Council and the County as they relate to this agenda item.

F. ADJOURNMENT.

G. NOTE: SPECIAL ACCOMMODATIONS AND SIGN LANGUAGE INTERPRETER AND INTERPRETERS FOR NON-ENGLISH SPEAKING PERSONS ARE AVAILABLE UPON REQUEST FIVE (5) DAYS PRIOR TO THE MEETING DATE, TO THE COUNTY CLERK, 4396 RICE STREET, SUITE 209, LĪHU'E, KAUA'I. TELEPHONE NO. 241-4188. FACSIMILE NO. 241-6349.